



BIG MOUNTAIN SEWER DISTRICT

PO Box 1252
Whitefish, Montana 59937

Board of Director Minutes SPECIAL MEETING July 28, 2022 9:00 a.m. Northern Lights Conference Room, Kandahar Lodge

1. CALL TO ORDER

President Sato called the meeting to order at 9:02 a.m. Present were Jennifer Sato, Katherine McAughan, Greg Ferrian, Jason Hanchett, Paul Montgomery of AMCE, Bill McKinney of McKinney Excavating, Matt Patterson of RPA Resident Inspector, Jim Swain, Josh Swain, and Darron Hayes of CIP Technology and Leslie Bales. Present via Zoom were: Brad Kincaid, Becky Anseth and Lindsey Siebrasse from MCEP of MDOC.

2. INTRODUCTIONS

President Sato conducted introductions, and welcomed everyone to the meeting.

3. PUBLIC COMMENT

Bales reported there were no written comments, and there was no one present with any oral comments.

4. INFLOW & INFILTRATION PROJECT

Montgomery led the pre-construction conference, stating the BMSD I&I Project includes the base bid plus both alternates B and C for a total contract amount of \$366,942.

Montgomery reported he has received the performance and payment bonds along with the insurance information from CIP Technology and we are ready to move ahead with the signing of the documents. McAughan made motion to approve the contract and authorize President Sato to sign and execute the contract documents and the notice to proceed; second by Ferrian. Motion carried with roll call vote as follows: AYES: Ferrian, Kincaid, McAughan, Sato. NOES: None. ABSENT: Clough. Kincaid left the meeting at 9:13 a.m. Notice to proceed was signed effective August 1, with substantial completion date of September 30.

Montgomery went through the Pre-Construction Conference agenda (see Pre-Construction Meeting Minutes prepared by Paul Montgomery attached). Additional items of discussion were:

- If need to shut down need at least a weeks notice, and then a weeks notice to restart. Discussion of hoot owl hours in extreme fire danger, and keeping in contact with Big Mountain Fire Chief Ben Devall followed.
- CIP added if they have to shut down for lack of materials, or hoot owl hours/fire danger they may have to add additional days to contract. Discussion of possibility of working on weekends for flexibility due to weather and materials. Inspections will need to be coordinated. Hanchett will also check to see if the Whitefish Mountain Resort has any regulations.

- Swain will submit project schedule to Montgomery, Patterson, and Hanchett prior to August 1.
- Swain replied we are two weeks out for starting to install liners, they are all ordered except the last one which we still need to locate. Swain added he may have supplier ship the first half of the liners, so we can get started.
- Hanchett reported there is a stream near the Dogwood parking lot, and small stream near Wood Run so CIP will need an erosion control plan for those. Hanchett, Swain, and McKinney will go visit the exact locations after the meeting.
- Normal workhours 9 to 5:30, CIP will do their best to abide by the time. Hanchett – more problems early in the morning than evening.
- Daily cleanup will be necessary – CIP doesn't necessarily make a mess but be sure to clean up trails, etc. Just keep things clean.
- McAughan reminded them of the speed limits.
- Hanchett reported there is a parking lot available (Hemlock), but will need insurance and signed agreement with Whitefish Mountain Resort. Hanchett and Swain will get together after the meeting to do this paperwork.
- Anseth and Siebrasse reported they need a debarment check on CIP Technology with Montgomery reporting this has already been completed and he will send them a copy.
- CIP asked about submitting materials for payment, Discussion followed with Montgomery stating if materials are stored and secured/protected we can process payment on those items. Hanchett asked what it means "protected"? Hemlock is a fenced, gated parking lot with a key. Montgomery stated this would meet the conditions.
- Progress meetings will be weekly with inspector and contractor preparing progress reports. Project schedule will be updated if necessary.
- Payment – CIP will provide application for payment monthly, and we will process payment within seven days – if rejected we will justify rejection. AMCE will prepare the pay package including paperwork for the district – district to pay within 30 days. Discussion of payroll process, Davis-Bacon or MT Prevailing Wage whichever is higher, Anseth agreed it is Davis-Bacon or MT Prevailing wage.
- Change Orders – if requested Swain and Patterson will approach Montgomery, and then talk with the district prior to approving. BMSD will approve or reject any change orders before the work is done. Change orders will include details on cost, work, etc. Swain noted there are several repairs that are currently unknown, and they will be reviewed at the time or repair. Discussion followed.
- Compaction testing is the contractor's responsibility.
- Safety – monthly safety or weekly updates in weekly meeting.
- Progress meetings will be held every other Monday at 9 a.m. in the Hemlock parking lot starting August 1. Hanchett and Sato plan to attend.
- CIP will provide toilets, water, power, no office, just equipment.
- Darren Hayes/CIP asked about a dumpster. Hanchett reminded everyone that Winter Mountain Resort/Whitefish Sports are a separate entity from the Big Mountain Sewer District, and cannot be expected to provide free items. CIP will need to rent and maintain their own dumpster, and to request a bear proof

dumpster. Discussion continued regarding water use. Hanchett will work with CIP on how to purchase the approximately 700 gallons per day they will need during construction.

Montgomery asked the Funding Agency representatives if they had any comments: Anseth and Siebrasse reiterated the postings go in the trailer and they should also have a large project sign. Montgomery said the specs for the sign are in the contract document, and the sign will be put in the chain up area as far as possible from the pavement. Swain reported the sign will be installed on Monday or as soon as possible, Signs Unlimited in Whitefish is doing the sign. Anseth and Siebrasse had no additional comments and thanked Montgomery for the really good agenda, and really good discussion. MCEP & DNRC will turn around payments, as soon as paperwork has been turned in.

President Sato asked about traffic control for the tourists, homeowners, and contractors. Swain reported CIP will be using Glacier Traffic Products for traffic control.

5. MISCELLANEOUS FOR THE GOOD OF THE ORDER

President Sato reported the next BMSD Regular Meeting will be September 29, 2022 9:30 a.m. here in the Northern Lights Conference Room, Kandahar Lodge.

President Sato asked the Board their opinion regarding our attorney, as Ben Hammer is leaving Hammer, Quinn & Shaw and moving to Omvig, Hammer Low, P.C. Consensus of Sato, McAughan, and Ferrian was to move to the new firm, continuing our attorney relationship with Ben Hammer, Bales will reach out to Hammer for a new Attorney Fee Agreement to be presented at the September regular meeting.

6. ADJOURN

Upon motion duly made and seconded the meeting adjourned at 10:13 a.m.



Jennifer Sato, President



Leslie Bales, Administrative Manager

**Big Mountain County Sewer District (BMCSO)
Wastewater Collection System – I&I Mitigation Project
PRECONSTRUCTION CONFERENCE MINUTES**

July 28, 2022 – 9:00 a.m.

Big Mountain – Kandahar Lodge, Northern Lights Conf. Room

PROJECT – Big Mountain I&I Mitigation Project

PROJECT No. – MCEP: MT-ARPA-CG-23-601

DNRC: RRG-22-1796A

ARPA: Subrecipient Under Flathead County Grant AM-22-0092

DESCRIPTION –This project consists of one base bid and two alternates generally described as:

BASE BID:

- Cured-In-Place (CIP) lining 14 sanitary sewer manholes;
- Replacing one sanitary sewer manhole;
- Raising/rebuilding 17 sanitary sewer manhole chimney sections;
- Raising/re-sealing 7 sanitary sewer manhole casting/lids;
- Spot repair 8" sewer at 1 location;
- Abandon one manhole;
- Abandon one manhole inlet.

ALTERNATE B:

- Cured-In-Place (CIP) lining 4 sanitary sewer manholes;
- One new sanitary sewer manhole;
- Raising/rebuilding 7 sanitary sewer manhole chimney sections;
- Raising/re-sealing 1 sanitary sewer manhole casting/lid;

ALTERNATE C

- Cured-In-Place (CIP) lining 1 sanitary sewer manhole;
- Spot repair 8" sewer at 2 locations

1. PRIMARY PROJECT CONTACTS: *(all area codes 406 unless noted otherwise)*

- Jen Sato – BMCSO President: bigmtsewerdist@gmail.com (414) 350-3737
- Jason Hanchett – BMCSO Public Works Superintendent: jasonh@skiwhitefish.com (406) 862-1991
- Paul Montgomery – AMCE Project Engineer: paul@a-mce.com (406) 459-8463
- Matt Patterson – RPA Resident Inspector: mpatterson@rpa-kal.com (406) 270-9833
- Jim Swain – CIP Construction Technologies: jimswain@cipmanhole.com (406) 291-8017
- Kassi Scheeler – Grant Administrator: kassi@a-mce.com (406) 449-3303

2. Funding/Regulatory Agency Contacts:

- Jackie Kuhl – Division Engineer Dept. of Commerce: jkuhl@mt.gov (406) 841-2784
- Lindsay Volpe – Program Manager – DNRC/RRGL: lmvolpe@mt.gov (406) 444-9766
- ~~Becky Anseth~~ **Lindsey Siebrasse** – Program Specialist - MCEP of MDOC:
Lindsey.Siebrasse@mt.gov (406) 841-2708
- Desiree Nelson – Flathead County – ARPA MAG: dnelson@flathead.mt.gov (406) 758-5516
- Samantha Kemp – Grant Manager of DNRC/ARPA & RRG: Samantha.kemp@mt.gov (406) 444-6829

3. Attendees:

- | | | |
|--------------------------------------|--|---|
| • Jen Sato | • Paul Montgomery | • Brad Kincaid (phone) |
| • Leslie Bales | • Matt Patterson | • Becky/Lindsey (phone) |
| • Greg Ferrian | • Jim Swain | • |
| • Katherine McAughan | • Josh Swain | |
| • Jason Hanchett | • Billy McKinney (Sub) | |

4. Contract:

- Agreement – three (3) originals of Agreement to be signed by District. Executed 7/28/22. AMCE will take possession of all originals to prepare three complete sets of contract documents;
- Notice to Proceed – three (3) originals provided by AMCE – to be signed/executed by BMCSD & CIP
- Performance/Payment Bonds – signed by underwriter, must be signed by Contractor as Principal
- Contract Amount: Base Bid plus Alternates B&C = \$366,942⁰⁰
- Contract Time: 60 calendar days;
- Notice to Proceed Date: August 1, 2022
- Completion Date: September 30, 2022
- Liquidated Damages: Agreement Section 4.3: \$1,000/day for Subst. Compl. \$750/day for Final Payment

5. Responsibilities of Contractor:

- Construct project in accordance with Plans and Specs
- Observe and when necessary, revise project schedule – *Jim will provide by 8-1-22*
- Timely notification of changed conditions
- Supervise all work crews and subcontractors on site
- SAFETY of all workers on site – hardhats, appropriate clothing, safe trenching
- Compliance with prevailing wage req's. Includes all subs.
- Compliance with American Iron & Steel – retain all supplier certifications. Includes all subs.
- Maintain all necessary insurance coverage (liability, workers comp, property, etc.)
- Discharge legitimate financial obligations to subs & suppliers
- Site security and protection of stored materials
- Preserve sewage collection/conveyance continuity
- Responsible neighbor with regard to noise, dust, cleanup

6. Responsibilities of ENGINEER

- Observe construction and provide Quality Assurance
- Timely interpretation of plans and specifications
- Advise OWNER on contract matters
- Reject defective work
- Review and certify pay estimates
- Advocate for OWNER regarding Change Orders
- Assess compliance with wage rates/work performed
- Comply with Contractor's safety program while at the project site

7. Responsibilities of OWNER

- Payment in accordance with Contract Documents
- Contract signatory and final decision on contractual matters
- Timely consideration of change orders and pay estimates
- Comply with Contractor's safety program while at the project site.

8. Communication on Contractual Matters

- Contractor – Engineer – OWNER



9. Submittals

- Preliminary construction schedule received – review & update routinely.
- Submittal management through Procore®.
- Subcontractors – List of subs received and included in executed contract documents
- Allow 15 days for initial review of submittals
- Allow 15 days for review of re-submittals
- Plan of Operation – submit upon NTP and updated every 30 days
- Erosion control plan (SP17) – before activity near any water body commences
- Dewatering plan (SP21) – prior to dewatering

17. Change Orders

- All C.O.'s in writing
- Include cost breakdown, negotiation, and engineer's estimate if no unit prices
- Stop and start work – no cost C.O.

18. Record Drawings (As Builts)

- Contractors responsibility – Maintain/submit to Engineer record drawings (do not use for construction), mark in red.
- Engineer's responsibility – observe and assist contractor in maintaining record drawings, produce final set of As-Built drawings.

19. Testing

- Contractor responsible for all testing
- Independent testing laboratory: Contractor's choice, OWNER approves

20. Safety

- *Bi-weekly (every other week) safety meetings with minutes: 09:00 at staging area in Hemlock starting August 1, 2022*
- Owner and/or representative in attendance
- Trenching practices, hardhats, safety fencing, etc. ENTIRELY Contractor's responsibility

21. Temporary Services

- Toilets
 - Water
 - Power
- Contractor's Trailer
 - Inspector's quarters

22. Postings – Contractor must post:

- Wage rates and D-B Poster
- EEO Poster
- OSHA Poster
- Reporting on DBE utilization, quarterly report (name & contract \$). *Note: targets are 2% MBE, 3% WBE.*

23. Funding Agency Comments:

- Flathead County: None
- MCEP: None
- DNRC/RRGL: None

24. SPECIFIC ISSUES:

- A. Equipment/Materials Storage – discussion between CIP and Jason Hanchett
- B. Acquisition/Disposal of construction water – 700 gpd average amount. Jason H will be contacted prior to acquisition of construction water. WSI will not provide free water/parking/etc. to the Contractor. Do not presume WSI is a partner in BMCSD's project.
- C. Shutdowns or Delays – minimum 1 week (7 days) notice for start/stop. Prefer 2 weeks
- D. Traffic Control Plan – must be submitted/approved by MDT prior to conducting ANY work that impacts traffic on Big Mountain Road. Glacier Traffic Products will provide TCP & equipment;
- E. Fire Restrictions – Hoot Owl measures. Big Mountain Fire Chief Ben Devall provided the Fire Restrictions link: <https://www.mtfireinfo.org/pages/restrictions>. Currently no fire restrictions in place. Contractor's responsibility to monitor status of restrictions. Zoom to "Big Mountain Montana" (Flathead National Forest) and click "Restrictions Document"
- F. CIP provides its own dumpster – maintained by Republic Services;
- G. CIP provides its own portable restroom facilities;
- H. Make absolutely sure that the project site is bear proof

- Bypass pumping plan (SP25)– prior to work on the Main Lift Station

10. Work Hours

- Normal Work Hours 7 a.m. to 5:30 p.m.
- Normal Work Days: 4-5 work days/wk. at 8-10 hours each
- *Start time is firm, finish time is dependent upon where in the CIPMH installation process they are. End work time must acknowledge and be flexible.*
- *Observe all posted speed limits.*

11. Site Access

- All impacted property within right-of-way or property administered by BMCSD
- Contractor shall keep all work within disturbance area as shown on the plans – protect property to the greatest extent possible.

12. Cleanup and Disposal

- Daily Cleanup – aesthetics are important given the proximity to pedestrian trail
- Haul Roads – no nuisance accumulation of dirt/debris

13. Material Storage

- Contractor shall be responsible for material storage location and security. *WSI draft agreement for materials/equipment storage in Hemlock lot – insurance requirements and padlocked. Jason will get Jim a key.*
- Payment for materials in storage will not be made until approval of submittals or shop drawings and the materials are properly stored, secured and insured. *Stored/secured in locked lot is adequate.*
- Storage area to be restored upon project completion.

14. Progress Meetings & Reports

- Bi-weekly Progress Meetings
- Inspector & contractor will initial progress reports.
- Discuss overall project schedule and work activities for the week

15. Payment

- Payment Schedule – Provide Application for Payment no more frequently than monthly. Engineer will process the request within 7 days or justify rejection. Payment by the District generally follows within 3-4 weeks
- Invoices for materials in storage required
- Owner generally has 30 days to pay
- Certified payrolls and Compliance Certifications, submitted weekly to engineer
- General contractor responsible for payrolls of all subcontractors
- Retainage shall be 5% for all Schedules until Complete, including submission of record drawings
- Lien release/affidavit required from Contractor stating legitimate obligations to subs & suppliers have been discharged

16. Payrolls

- D-B wage decision MT20210070 (Heavy) effective 02/25/22; MT Prevailing (Heavy & Highway) effective 1/01/22 - all included in original bid documents.
- Payrolls submitted on form WH-347, Statement of Compliance – WH348
- Subcontractor compliance is the responsibility of the prime contractor
- Superintendent and recipient-operators shall be shown on the payroll.
- Payrolls shall be certified by Contractor and checked by AMCE
- Anything over 40 hrs/wk must be paid at 1½ x regular wage rate
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- D. _____
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